

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

METCALF, <i>ET AL.</i> ,	:	Case No. 4:11-cv-00127
	:	
	:	
PlaintiffS,	:	
	:	
v.	:	(Judge Brann)
	:	
MERRILL LYNCH, <i>ET AL.</i> ,	:	
	:	
	:	
Defendants.	:	

ORDER

January 10, 2014

BACKGROUND:

The case before the Court concerns Plaintiffs's alleged claims against two groups of defendants, the Jacobs Defendants¹ and the Merrill Lynch Defendants.² Pls.'s Compl., Aug. 17, 2009, ECF No. 1. The Plaintiffs settled their claims against the Jacobs Defendants. The claims against the Merrill Lynch Defendants were dismissed and are now on appeal before the United States Court of Appeals for the Third Circuit, No. 13-3118. Notice Appeal, Jul. 1, 2013, ECF No. 167.

On October 9, 2013, the Third Circuit entered an order that stayed the appeal

¹ Defendants Michael Jacobs, Ruby Handler-Jacobs, Solar Wind Productions, LLC, and Rio Grande Studios, LLC.

² Defendants Merrill Lynch, Robin Brubacher, and Lawerence Bellmore, Jr.

and partially remanded the case to this Court “to allow Appellants to move in District Court for an order dismissing with prejudice the Jacob Defendants from the action.” Pls.’s Mot. Dismiss, Ex. A, Oct. 21, 2013, ECF No. 170. Accordingly, the Plaintiffs filed this Motion to Dismiss the Jacobs Parties, and no party filed anything in opposition. See id.

AND NOW, IT IS HEREBY ORDERED THAT:

This 10th day of January 2014, upon consideration of the Plaintiffs’s Motion to Dismiss Defendants Michael Jacobs, Ruby Handler-Jacobs, Solar Wind Productions, LLC, and Rio Grande Studios, LLC (ECF No. 170), and pursuant to the Court’s authority under Federal Rule of Civil Procedure 54(b), that Motion is GRANTED and those defendants are DISMISSED with prejudice.

BY THE COURT:

/s Matthew W. Brann
Matthew W. Brann
United States District Judge